IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MS JUSTICE G.ROHINI

WRIT APPEAL NO : 832 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 25/02/2004 in WP NO : 2894 OF 2004 on the file of the High Court.)

Between:

V.Nagendram W/o Nageswara Rao
Avulamanda Village Kuruchedu Mandal,
Prakasham Dist

..... APPELLANT

AND

1 Gottipati Ramaiah S/o Lingaiah
Avulamanda Post, Kurichedu Mandal,
Prakasham Dist
2 Revenue Divisional Officer Kandukuru Division
Prakasham Dist
3 Mandal Revneue Officer Kurichedu Mandal,
Prakasham Dist

.....RESPONDENTS

For the Appellant: MR.K.V.SUBRAMANYA NARASU , Advocate

For the Respondents: MR.S.PRABHAKAR , G.P for Revenue

The Court Made the following :

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ORAL JUDGMENT: (per Hon'ble The Chief Justice.

We have heard learned counsel for the appellant and gone through the record. Appellant's writ petition questioning the action of respondent Nos. 1 & 2 in not permitting the petitioner to distribute the essential commodities to the card holders and permitting 1st respondent to do so as illegal.

Writ petition was dismissed on the ground that first respondent had filed a Writ Petition No. 27134 of 2003, wherein it was noticed that there was no suspension of the authorisation of the first respondent despite the fact that there was enquiry pending against the first respondent and since appellant was a temporary FPS dealer, he has no right to continue nor he can enforce such right.

Having heard learned counsel for the appellant, we do not find any merit in the appeal. However, we are inclined to issue direction to 2nd respondent to consider appellant's representation stated to have been submitted on 28-1-2004, which is part of the paper book, and take appropriate decision thereupon within a period of two months from today. Respondent No.2 will also ensure that whatever proceedings are pending against 1st respondent under the provisions of Essential Commodities Act, they shall be disposed of as expeditious as possible.

Accordingly writ appeal is disposed of. No costs.

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DEVINDER GUPTA, C.J.

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G. ROHINI, J.,

Dated: 28-06-2004
KVRK

To

1. The Revenue Divisional Officer, Kandukuru Division,
Prakasham Dist
2 Mandal Revneue Officer, Kurichedu Mandal,
Prakasham Dist
3. Two CCs to GP for Revenue, High Court Buildings, Hyd. (OUT).
4. Two CD copies

HON'BLE SRI DEVINDER GUPTA,
CHIEF JUSTICE

AND

HON'BLE Ms. JUSTICE G. ROHINI

WRIT APPEAL NO. 832 of 2004

(Judgment of the Bench delivered by Hon'ble the Chief Justice)

DATED: 28-06-2004